

Funding Opportunity: Category Two	Applicant Organization: Eastern Sierra Land Trust
Task: Submit Application Non-EO	Applicant Name: Ms. Karen Ferrell-Ingram



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PROJECT CONTACT INFORMATION		
Name	Ms. Karen Ferrell-Ingram,	
Title		
Organization	Eastern Sierra Land Trust	
Primary Address	PO Box 755, , , Bishop, CA, 93515	
Primary Phone/Fax	760-873-4554 Ext.	
Primary Email	karen@eslt.org	



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PROJECT INFORMATION		
Project Title	Mono County Land Donation and Exchange	
Brief Description	The primary goal of this project is to permanently protect and preserve two significant parcels that are located within federally owned lands in Mono County. Parcel #1 is a 385 acre property located near the summit of the Sweetwater Mountains, just north of Bridgeport. It is the site of a historic silver mine, contains two creeks, and is within the Humboldt-Toiyabe National Forest. Parcel #2 is a 40 acre property located just off of Green Creek Road, south of Bridgeport. It is the site of the historic hydro-power plant that powered Bodie. The property is bisected by Green Creek and is within Bureau of Land Management lands.	
Total Requested	61,814.00	
Amount		
Other Fund Proposed	2,580.00	
Total Project Cost	64,394.00	
Project Category	Pre-Project Due Diligence	
Project Area/Size	0000	
Project Area Type	Not Applicable	
Have you submitted to SNC this fiscal year?	Yes	
Is this application related to other SNC funding?	No	

Project Results	
Appraisal	



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Project Purpose	Project Purpose Percent
Historical/Cultural	
Resource Management	
Water Quality	

County			
Mono			

Sub Region	
East	



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PROJECT OTHER CONTACTS INFORMATION

Other Grant Project Contacts

Name: Ms. Karen Ferrell-Ingram, Project Role: Authorized Representative

Phone: 7608734554

Phone Ext:

E-mail: karen@eslt.org

Name: Ms. Karen Ferrell-Ingram, Project Role: Day-to-Day Responsibility

Phone: 7608734554

Phone Ext:

E-mail: karen@eslt.org

Name: Mr. Dave Wilbrecht, Project Role: County Administration

Phone: 0000000000

Phone Ext:

E-mail: dwilbrecht@mono.ca.gov

Name: District Bridgeport Public Utilities,

Project Role: Water Agency 1 Contact

Phone: 7609327251

Phone Ext:

E-mail: monopw@monocounty.ca.gov



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PROJECT LOCATION INFORMATION

Project Location

Address: Sweetwater Mountains (Silverado Canyon), and Green Creek,

, Bridgeport, CA, 93517 United States

Water Agency: Bridgeport Public Utilities District

Latitude: 38.449 Longitude: -119.2674

Congressional District: N/A Senate: N/A Assembly: N/A Within City Limits: No

City Name:



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PROJECT BUDGET INFORMATION

Direct

Description	Num of Units	Per Unit Cost	Total
Staff-Executive Director	360	30.00	10,800.00
Staff-Lands Program Coordinator	1	7,000.00	7,000.00
Travel Exp-Mileage	2000	.50	1,000.00
Contracts/Consult- Environmental Assess	1	7,200.00	7,200.00
Contracts/Consult- Legal Counsel	1	5,000.00	5,000.00
Fees-Appraisal	1	15,000.00	15,000.00
Fees-Escrow, title, and closing	1	4,500.00	4,500.00
Fees-Property taxes	1	3,252.00	3,252.00

Total Direct	53,752.00
Direct Detail	

Administrative



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Description	Num of Units	Per Unit Cost	Total
Accounting	1	1,451.00	1,451.00
Insurance	1	1,209.00	1,209.00
Internet	1	242.00	242.00
Rent	1	3,628.00	3,628.00
Telephone	1	645.00	645.00
Utilities	1	887.00	887.00

Total Administrative	8,062.00
Administrative Detail	

Budget Grant Total: 61,814.00



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PROJECT OTHER SUPPORT INFORMATION

Other Support for the Sierra Nevada

Type: Major In-Kind Contri

Estimated Amount: 2,100.00

Estimated Volunteer Hours: 1

Source: California Native Plant Society

Source Type: Other Status: Pledged

Description: 1 pckg donation

Type: Volunteer Hours

Estimated Amount: 480.00
Estimated Volunteer Hours: 20
Source: ESLT
Source Type: Other
Status: Pledged

Description: Performance Measure reporting

Estimated Total Amount of 2,580.00
Resources Leveraged



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PROJECT REGULATORY REQUIREMENTS

Regulatory Requirements



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PROJECT TIMELINE INFORMATION

Project Timeline

Milestone/Activity: Title review

Description:

Expected Date: 08/31/2011

Deliverable: True

Milestone/Activity: Phase 1 environmental assessment

Description:

Expected Date: 08/31/2011

Deliverable: True

Milestone/Activity: Baseline Conditions Report

Description:

Expected Date: 10/31/2011

Deliverable: True

Milestone/Activity: Appraisal

Description:

Expected Date: 10/31/2011

Deliverable: True

Milestone/Activity: Donation Agreement, 6 mo. report

Description:

Expected Date: 11/30/2011

Deliverable: True

Milestone/Activity: Land Donation completed/escrow

Description:

Expected Date: 12/31/2011

Deliverable: True



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Milestone/Activity: Enter Land Tenure Program

Description:

Expected Date: 01/31/2012

Deliverable: True

Milestone/Activity: Continue land exchange process

Description:

Expected Date: 01/31/2012

Deliverable: True

Milestone/Activity: Submit regular 6 month reports

Description: Beginning May 2012 and every 6 months thereafter to 1/2014

Expected Date: 01/31/2014

Deliverable: True

Milestone/Activity: Complete land exchange process, final report

Description: Complete land exchange process (or make significant progress),

final report

Expected Date: 01/31/2014

Deliverable: True



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PROJECT PEER REVIEWER INFORMATION

Reviewers		



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UPLOADS

The following pages contain the following uploads provided by the applicant:

Upload Name
Articles of Incorporation (Non-Profit Organization
Authorization to Apply or Resolution
Bylaws (Non-Profit Organizations Only)
CEQA Documentation
Completed Checklist
Detailed Budget Form
IRS Tax Letter (Non-Profit Organizations Only)
Leases or Agreements
Performance Measures
Regulatory Requirements or Permits



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To preserve the integrity of the uploaded document, headers, footers and page numbers have not been added by the system.

EASTERN SIERRA LAND TRUST



176 Home Street P.O. Box 755 Bishop, CA 93515 P: (760) 873-4554 F: (760) 873-9277 www.eslt.org

BOARD OF DIRECTORS

Tony Taylor President

Orrin Sage Vice President

Rick Kattelmann Secretary

Rosanne Higley Treasurer

Bill Bramlette Jan Hunewill

Sid Tyler

STAFF

Karen Ferrell-Ingram Executive Director Serena Dennis Heather Freeman

Aaron Johnson Mary McGurke

Mignon Moskowitz

Sarah Spano AmeriCorps Member SNC Grants Board Sierra Nevada Conservancy 11521 Blocker Drive, Suite 205 Auburn, CA 95603

September 12, 2010

Re: Additional requirements for Nonprofit Organizations Sierra Nevada Conservancy Grants Program

Dear Sierra Nevada Conservancy,

This letter is to certify that the nonprofit documents listed in the grants application packet and application checklist, the Articles of Incorporation and Tax Exempt Status Letter from the IRS, are on file at the agency office in Auburn and are current. Our By-laws have been updated and are included in the application packet.

Thank you for your consideration of this grant application.

Sincerely,

Karen Ferrell-Ingram, Executive Director

Koven Fevell-Ing



Eastern Sierra Land Trust Board of Directors Resolution No. 2010-2

In the matter of: A RESOLUTION

APPROVING THE APPLICATION FOR

GRANT FUNDS FOR THE SIERRA

NEVADA CONSERVANCY

PROPOSITION 84 GRANT PROGRAM

UNDER THE SAFE DRINKING WATER,

WATER QUALITY AND SUPPLY,,

FLOOD CONTROL, RIVER AND

COASTAL PROTECTION BOND ACT

OF 2006.

Mono County Land Donation and

Exchange

Resolution No: 2010-2

Date: September 10, 2010

The following RESOLUTION was duly passed by the Board of Directors of the Eastern Sierra Land Trust at a meeting held by email, by the following vote:

Ayes: 7 Noes: 0

Abstentions: 0

Absent: 0

Signed and approved by:

President, Board of Directors

WHEREAS, the Legislature and Governor of the State of California have provided Funds for the program shown above; and

WHEREAS, the Sierra Nevada Conservancy (SNC) has been delegated the responsibility for the administration of a portion of these funds through a local assistance grants program, establishing necessary procedures; and

WHEREAS, said procedures established by the Sierra Nevada Conservancy require a resolution certifying the approval of application(s) by the Applicant's governing board before submission of said application(s) to the SNC; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the SNC to carry out the project; and

WHEREAS, the Eastern Sierra Land Trust has identified the Mono County Land Donation and Exchange as valuable toward meeting its mission and goals.

BE IT HEREBY RESOLVED by the Board of Directors of the Eastern Sierra Land Trust that this Board:

- 1. Approves the submittal of an application for the Mono County Land Donation and Exchange project; and
- 2. Certifies that Applicant understands the assurances and certification requirements in the application; and
- 3. Certifies that Applicant or title holder will have sufficient funds to operate and maintain the resource(s) consistent with the long-term benefits described in support of the application; or will secure the resources to do so; and
- 4. Certifies that Applicant will comply with all legal requirements as determined during the application process; and
- 5. Appoints Karen Ferrell-Ingram, or designee, as agent to conduct all negotiations, execute and submit all documents, including but not limited to: applications, agreements, payment requests, and so on, which may be necessary for the completion of the aforementioned project(s).

PASSED AND ADOPTED by the Eastern Sierra Land Trust on the 10th day of September, 2010.

BYLAWS of the EASTERN SIERRA LAND TRUST Adopted November 2, 2009

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BYLAWS of the EASTERN SIERRA LAND TRUST A California Nonprofit Public Benefit Corporation

ARTICLE I Name and Principal Office

1.1 Name:

The name of this Corporation is:

EASTERN SIERRA LAND TRUST.

1.2 <u>Principal Office</u>:

The principal office for the transaction of the activities and affairs of this Corporation is located at:

176 Home Street Bishop CA 93514 Inyo County

The Board of Directors may change the location of the principal office. Any such change of location must be noted by the Secretary on these Bylaws opposite this Section; alternatively, this Section may be amended to state the new location.

The Board may at any time establish branch or subordinate offices at any place or places where this Corporation is qualified to conduct its activities.

ARTICLE II Purpose

2.1 Nonprofit Corporation:

This Corporation is a nonprofit public benefit corporation and is not organized for the private benefit of any person. It is organized and operated exclusively under the California Nonprofit Public Benefit Corporation Law for charitable purposes.

2.2 Purpose:

The specific and primary purposes for which this Corporation is formed are:

For the benefit of present and future generations, and within the meaning of Internal Revenue Code Section 501(c)(3) or the corresponding provision of any future United Stated Internal revenue law and Section 23701d of the California Revenue and Taxation Code:

1. To solicit, receive and administer property i.e., fee and easement interests in real property, and funds, in order to permanently preserve, protect and enhance land in Eastern Sierra region and other locations in the states of California and Nevada.

2. To protect and manage such lands for their scenic, recreational, historical, agricultural, botanic, watershed, and wildlife values;

Despite any other provision in these articles, the Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that do not further the purposes of this Corporation, and the Corporation shall not carry on any other activities not permitted to be carried on by (a) a corporation exempt from federal income tax under Internal Revenue Code section 501(c)(3) or the corresponding provision of any future United Sate Internal revenue law, or (b) a corporation, contributions to which are deductible under Internal Revenue Code section 170(c)(2) or the corresponding provision of any future United States Internal revenue law.

ARTICLE III Dedication of Assets

3.0 Dedication of Assets:

This Corporation's assets are irrevocably dedicated to public benefit purposes, as described in ARTICLE II. No part of the net earnings, properties, or assets of the Corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual or to any Director or Officer of the Corporation. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of the Corporation, shall be distributed to a nonprofit organization or organizations organized and operated exclusively for purposes substantially similar to those set for in ARTICLE II of these Articles and which has: (a) established its tax-exempt status under Internal Revenue Code section 501(c)(3) or corresponding provisions of any future federal internal revenue law; and (b) which has established its tax-exempt status under Revenue and Taxation Code section 23701d or corresponding section of any future California revenue and tax law; or (c) which has established its tax exempt status under the laws of the state with taxing authority over the nonprofit organization.

ARTICLE IV Construction and Definitions

4.0 Construction and Definitions:

Unless the context requires otherwise, the general provisions, rules of construction and definitions in the California Nonprofit Corporation Law shall govern the construction of these bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural, the plural includes the singular, and the term "person" includes both a legal entity and a natural person.

ARTICLE V Members

5.0 Members:

This Corporation shall have no members, as that term is defined in California Corporations Code Section 5056.

ARTICLE VI Board of Directors

6.1 Number of Directors:

The Board of Directors shall consist of not less than seven (7) and not more than fifteen (15) persons, the exact number to be fixed from time to time by a resolution approved by a majority of the then authorized, acting Directors. No reduction of the authorized number of Directors shall have the effect of removing any Director prior to the expiration of said Director's term of office, unless a Director is affirmatively removed as hereinafter provided. Directors need not be residents of the State of California.

6.2 Requirements for Board Membership:

The Board may set standards and requirements for membership on the Board as it sees fit.

6.3 Term:

Directors shall be elected annually or at any regular Board meeting or special Board meeting convened for that purpose.

Each Director shall serve for a term of three (3) years.

Subject to re-election, Board members may serve an unlimited number of terms; however, a one year absence after three consecutive terms shall be required for any Board member before returning to the Board, unless Board majority approval for continued uninterrupted service on the Board is obtained.

6.4 Limitation on "Interested Persons":

No more than 49 percent of the persons serving on the Board may be "interested persons". An "interested person" is (a) any person compensated by the Corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a Director as Director; and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law or father-in-law of such person. However, any violation of this paragraph shall not affect the validity or enforceability of transactions entered into by the Corporation.

6.5 Vacancies:

The Board shall determine when and how many vacancies shall be filled at regular meetings of the Board of Directors. The Board Development Committee, appointed by the Board, shall nominate one or more persons for such vacancies under procedures adopted by the Board. Directors may also nominate additional candidates at regular Board meetings. Each candidate shall be voted on individually. Candidates receiving the highest number of votes, up to the number of vacancies to be filled, shall be elected. A vacancy shall be deemed to exist in the event that the actual number of Directors is fewer than the authorized number for any reason.

6.6 Resignation:

A Director may resign at any time by giving written notice to the Board, or to the president, the vice-president, or the secretary. Such resignation is effective on the date

such notice is received, or at any later date specified in the notice. A resignation is effective without acceptance by the Board.

6.7 Removal:

The Board may remove any Director with or without cause, by a majority vote of the entire Board, if in the Board's sole judgment the Corporation's best interests are thereby served. Unless pre-approved otherwise, absence of a Director from four (4) or more consecutive regular Board meetings shall constitute cause for removal.

ARTICLE VII Powers and Duties of the Board of Directors

7.1 Powers:

The Corporation shall have powers to the full extent allowed by law, subject to the provision of the Articles of Incorporation and these Bylaws. All powers and activities of the Corporation shall be exercised and managed directly by the Board, or if delegated, under the ultimate direction of the Board. The Board may delegate to an Executive Director or other staff or an Officer or Committee of the Board, subject to the Board's control, any of the powers and authorities of the Board for the business and affairs of the Corporation except where such delegation is prohibited by the Bylaws, and except for the power to amend these Bylaws.

Without prejudice to these general powers, and subject to the same limitation, the Directors shall have the power to:

- a. Select and remove all Officers, agents and employees of the Corporation; prescribe any powers and duties for them that are consistent with law, with the Articles of Incorporation and with these Bylaws; fix their compensation; and bond any person who handles funds, or other items of value;
- b. Conduct, manage and control the affairs and business of this Corporation, and make such rules and regulations therefore not inconsistent with law, with the articles of Incorporation or with these Bylaws, as they may deem best;
- c. Change the principal executive office or the principal business office in the State of California from one location to another; cause the Corporation to be qualified to do business in any other state, territory, dependency or country and conduct business within or outside the State of California; and designate any place within or outside the State of California for the holding of any meetings or meetings, including annual meetings;
 - d. Adopt, make and use a corporate seal; and alter the form of the seal;
- e. Borrow money and incur indebtedness on behalf of the Corporation and cause to be executed and delivered for the Corporation's purposes, in the corporate name, promissory notes, debentures, deeds of trust, mortgages, pledges, hypothecation and other evidences of debt and securities.

7.2 Duties of all Directors:

Elected and appointed Directors shall: (a) be chosen for their willingness and ability to contribute effectively to and support the objectives of the Corporation and shall perform any and all duties imposed on them collectively or individually by law, by the Articles of Incorporation or by these Bylaws; (b) meet at such times and places as required; (c) elect, appoint and remove and prescribe the duties of all Officers, and agents of the Corporation; and (d) supervise all Officers, agents, Committees, Committee chairs and vice chairs to assure that their duties are properly performed.

7.3 Duties of Individual Directors:

A Director shall perform the duties of a Director, including duties as a member of any Committee of the Board on which the Director may serve, in good faith, in a manner such Director believes to be in the best interests of the Corporation, and with such care, including reasonable inquiry, as an ordinary prudent person in a like situation would use under similar circumstances. In performing the duties of a Director, a Director shall be entitled to rely on information, opinions, reports, or statements including financial statements and other financial data, in each case prepared or presented by any of the following:

- a. One or more Officers or employees of the Corporation whom the Director believes to be reliable and competent in the matters described;
- b. Counsel, independent accountants, or other persons as to matters which the Director believes to be within such person's professional or expert competence; and
- c. A Committee of the Board upon which the Director does not serve, as to matters within its designated authority, which Committee the Director believes to merit confidence, so long as in any such case, the Director acts in good faith, after reasonable inquiry when the need therefore is indicated by the circumstance, and without knowledge that would cause such reliance to be unwarranted.

ARTICLE VIII Liabilities and Indemnification

8.1 Limitation on Liability for Actions as Director:

A person who performs the duties of a Director in accordance with the conditions described in paragraph 7.3 of Article VII of these Bylaws shall have no liability based upon any failure or alleged failure to discharge that person's obligations as a Director, including, without limiting the generality of the foregoing, any actions or omissions which exceed or defeat the public and charitable purposes to which the Corporation, and the assets held by it, are dedicated.

8.2 Limitation on Liability for Corporate Obligations:

Directors shall not be personally liable for the debts, liabilities or other obligations of the Corporation.

8.3 Indemnification:

To the extent that a person who is or was a Director, Officer, employee, or other agent of this Corporation has been successful on the merits in defense of any civil, criminal, administrative, or investigative proceeding brought to procure a judgment against such person by reason of the fact that he or she is or was an agent of the Corporation, or has been successful in defense of any claim, issue or matter therein, such person shall be indemnified against expenses actually and reasonably incurred by the person in connection with such proceedings. If such person either individually settles any such claim or sustains a judgment against him or her, then indemnification against expenses, judgments, fines, settlements and other amounts reasonably incurred in connection with such proceedings may be provided by this Corporation, subject to Board approval, but only to the extent allowed, and in accordance with the requirements of, Section 5328 of the California Nonprofit Public Benefit Corporation Law.

8.4 Conflicts:

The Board shall adopt policies regarding conflicts of interest related to its own members and Officers of the Corporation, other insiders, and staff members. Such policies shall be consistent with the standards of conduct set forth in the California Nonprofit Corporation Code and shall ensure, without limitation:

- a. full disclosure of financial interests and involvement in transactions where a conflict of interest is a possibility; and
- b. avoidance of potential conflicts of interest in choosing new Directors. Such policies shall impose upon each Director the responsibility to be alert to possible conflicts of interest of himself or other Directors, and where a Director has a conflict of interest, require that such Director be disqualified from the decision-making process involved.

ARTICLE IX Meetings

9.1 Organizational Meetings:

An annual organizational meeting, for the purpose of organizing and electing Officers, shall be the first Board meeting of each fiscal year. Notice of this meeting shall not be required.

9.2 <u>Regular Meetings; Notice</u>:

The Board shall hold regular Board meetings at least once each calendar quarter. Notice of such regular meetings shall be given to each Director in writing at least ten (10) but no more than ninety (90) days before the meeting date. Notice shall be given personally or by first class mail, or by other means of written or electronic communication and shall be addressed to each Director at the address of that Director as it appears on the books of the Corporation or at the address given by the Director to the Corporation for purposes of Notice. An affidavit of mailing of any notice or giving of notice by other means may be executed by the Secretary or Assistant Secretary and if so executed, shall be filed and maintained in the Corporation's minute book.

9.3 Special Meetings; Notice:

Special meetings of the Board may be called by the President or by any three (3) members of the Board. Notice of the time and place thereof shall be given in person, by telephone or by e-mail at least forty-eight (48) hours before the time set for such meeting or by written notice at least seventy-two (72) hours before such meeting. The notice shall state the time, place and subject matter of the special meeting. Any business which may be lawfully transacted by the Board may be transacted at any special meeting provided a legal quorum is present.

9.4 Ouorum:

Not fewer than 50% of the Directors then serving shall be present to constitute a quorum for the transaction of business. Directors may attend board meetings by teleconference and thereby be included in the quorum count. Whether or not there is a quorum at any meeting, a majority of the Directors who are present may adjourn the meeting from time to time until a quorum shall be present.

9.5 Number of Votes:

At each meeting each Director present shall have one vote. All votes by the Board are subject to the provisions of the California Nonprofit Corporation law, especially those provisions relating to (a) approval of contracts or transactions in which a Director has a direct or indirect material financial interest, (b) appointment of Committees and (c) indemnification of Directors. Every act or decision by a majority of the Directors present shall be regarded as the act of the Board, except that a majority of the Directors then in office shall be required to acquire or accept any interest in real property, or to sell, exchange, otherwise transfer or encumber any real property owned by the Corporation.

9.6 Validity of Meetings:

The transactions of any meeting of the Board, however called and noticed, shall be valid as though taken at a meeting duly held after regular call and notice, if (a) a quorum is present, or (b) if a quorum is not present, either before or after the meeting each and every Director not present signs a consent to holding the meeting, which consent will state the place and time of the meeting and the subject(s) of the meeting or the actions taken at the meeting. Said consent is to be filed with the minutes of that meeting.

9.7 <u>Meeting upon Written Consent:</u>

Any action that the Board is required or permitted to take may be taken without a meeting, if all members of the Board consent in writing or by electronic means to that action. Such "action by written consent" shall have the same force and effect as any other validly approved action of the Board and such written consents shall be filed with the corporate records. Such meeting upon written consent is to be noted in the minutes of the next regular meeting of the Board.

9.8 Adjournment:

A majority of the Directors present, whether or not constituting a quorum, may adjourn any meeting to another time and place. Notice of the time and place of holding an adjourned meeting need not be given, unless the meeting is adjourned for more than

twenty-four (24) hours, in which case personal notice of the time and place shall be given, before the time of the adjourned meeting, to the Directors who were not present at the time of the adjournment, in accordance with the notification requirements contained in Paragraph 9.3 above.

ARTICLE X Committees

10.1 Creation and Powers of Committees of the Board ("Board Committees"):

a. Standing Committees and Special Committees

The Board may create one or more Committees of the Board. These Board Committees include permanent Standing Committees, e.g. Lands Committee, Finance & Investment Committee, etc., and Special Committees, e.g. Arts Committee, Accreditation Committee, etc., created to address and oversee special projects of the ESLT. Each Board Committee must consist of one or more Board members, one or more Staff member, and other persons, all to serve at the discretion of the Board. It is the responsibility of the Board and Staff members to communicate the activities of the respective Committee to the Board.

b. Executive Committee

The Board may also create an Executive Committee, which shall consist of the Officers of the Corporation, the Executive Director (non-voting member) and up to two additional members of the Board.

c. Power and Authority of Committees

The Executive Committee shall be the only Board Committee to have the authority of the Board to make interim Board decisions for the transaction of business between regularly scheduled meetings of the Board. Other Board Committees shall have the authority to take any final Board actions only with the prior approval of the Board of Directors. Neither the Executive Committee nor any other Committee of the Board may:

- 1) Take any final action in matters which, under the Nonprofit Corporation Law of California, requires Board of Directors' approval;
- 2) Fix compensation of the Directors for serving on the Board or on any Board Committee;
 - 3) Amend or repeal Bylaws or adopt new Bylaws;
 - 4) Fill vacancies of the Board or any Standing Committee;
- 5) Amend or repeal any resolution of the Board which by its express terms cannot be amended or repealed;
- 6) Appoint any other Committees of the Board or the members of these Committees;

- 7) Approve any transaction (1) to which the Corporation is a party and in which one or more Directors have a material financial interest except as special approval is provided for in Corporations Code Section 5233(d)(3); or (2) between the Corporation and any person in which one or more of the Directors have a material financial interest;
- 8) Spend, invest, or obligate sums of money or other assets/liabilities in excess of Five Hundred Dollars (\$500) unless such authority is granted by Board resolution.

10.2 Meetings of Committees:

The times, locations, and agendas of meetings of Board Committees shall be governed by the respective Committees, subject to any potential limitations or guidelines that the Board may impose. Minutes shall be kept of each meeting of any Committee and shall be filed with the corporate records. A brief synopsis of any Board Committee meeting shall be presented directly to the members of the Board, by letter, e-mail, or discussion at the regular meetings of the Board. The Board may adopt rules for the governance of any Committee not inconsistent with the provisions of these Bylaws or, if the Board has not adopted rules, the Committee may do so.

10.3 Membership of Committees:

- a. It is the normal expectation that each Director shall serve on at least one Committee of the Board or serve the Board in an individual capacity of similar significance to further the mission, goals and objectives of the organization;
- b. As stated in 10.1.a above and unless specified otherwise for a particular Committee, each Board Committee should have Board and staff representation and other members from the community with appropriate skills, knowledge, contacts or interest to perform the work of the Committee;
- c. The Chair of each Committee, except the Executive Committee, need not be a Board member;
- d. The Committee Chairs shall be determined in the manner directed by the Board upon creation of the committee. Committee members shall be appointed by the Committee Chair with the concurrence of the President and a majority of the Board;
- e. The terms of the Committee Chairs and members shall be one year and are evaluated and approved at the annual organization meeting. Terms may be renewed without limit.

ARTICLE XI Advisory Board

11.1 Creation of Advisory Board:

The Board may appoint individuals to serve on a non-voting Advisory Board to act in an "honorary" or advisory capacity to the Board in the conduct of the affairs of the Corporation. The Board may adopt rules or procedures for the Advisory Board from time to time. The Board shall appoint individuals to serve on the Advisory Board without limitation to terms or tenure. Advisory Board members may be appointed by the Board at any regular or special meeting of the Board. Any member of the Advisory Board may be removed, with or without cause, at any time by a majority vote of the Board.

11.2 Purpose of the Advisory Board:

The purpose of the Advisory Board includes, but is not limited to:

- a. Providing expert help or advice to the Corporation on specific and general matters; and
- b. Providing pro bono professional support for the Corporation's activities; and
- c. Offering prestige and contacts to the Corporation through use of Advisory Board members' names, reputations and/or affiliations; and
 - d. Providing liaison with public agencies.

11.3 Duties:

The Advisory Board members do not have prescribed duties, responsibilities or authorities. When possible, members are encouraged to serve on standing committees, offer advice, or promote the organization through their contacts.

11.4 Requirements for Service:

Advisory Board members should be supportive of the mission, goals and objectives of the Corporation. It is a normal expectation that members of the Advisory Board will be financially supportive members of the ESLT.

ARTICLE XII Officers

12.1 Officers:

The Officers of the Corporation shall be: President, Secretary; and, Chief Financial Officer, sometimes referred to as the Treasurer. The Corporation, at the Board's discretion, may also have a Chairman of the Board, one or more Vice-Presidents, one or more Assistant Secretaries, one or more Assistant Treasurers and such other Officers as may be appointed under Paragraph 12.3 of these Bylaws. Any number of offices may be held by the same person, except that neither the Secretary nor the Treasurer may serve concurrently as either the President or the Chairman of the Board.

12.2 Selection:

The Officers of this Corporation, except any appointed under Paragraph 12.3 of this Bylaws, shall be chosen annually by the Directors, and each shall serve at the discretion of the Board, subject to the rights, if any, of an Officer under any contract of employment. The Board Development Committee shall present a slate of nominees for Officers at each annual organization meeting or at any regular meeting to the Board where a vacancy for an Officer position exists.

12.3 Delegation of Selection:

The Board may appoint and authorize the Chairman of the Board, the President or another Officer to appoint any other Officers that the Corporation may require. Each appointed Officer shall have the title and authority, hold office for the period, and perform the duties specified in the Bylaws or established by the Board.

12.4 Term:

The term of office for any Officer of the Corporation shall be one year or until the next annual organization meeting, whichever is less.

12.5 Removal:

Without prejudice to the rights of any Officer under an employment contract, the Board may remove any Officer with or without cause, by resolution passed by the majority of the Board.

12.6 Resignation:

Any Officer may resign at any time by giving written notice to this Corporation. Any resignation shall take effect at the date of the receipt of that notice or at any later time specified in that notice, and unless otherwise specified in the notice, the acceptance of the resignation is without prejudice to the rights, if any, of this Corporation under any contract to which the Officer is party.

12.7 Vacancy:

A vacancy in any office for any reason shall be filled in the manner described in these Bylaws for the regular appointments or elections to that office.

ARTICLE XIII Responsibilities of Officers

13.1 President:

The President shall be the Board's primary leader and communications link between Board, Staff and the general public. In the absence of an Executive Director, the President shall function as the Corporation's Chief Executive Officer. The President shall preside at the Board meetings and shall, subject to the control of the Board, generally supervise, direct and control the Corporation's business and its Officers. The President shall have the general powers and duties of management usually vested in the President of a corporation, and shall have such other powers and duties as may be prescribed by these Bylaws or by the Board. The President shall be an ex-officio member without vote on all Committees.

13.2 Vice-President:

The Vice-President(s), if any, shall, in the absence or disability of the President, or at the President's or Board's request, perform the duties and exercise the powers of the President and shall have such other power and perform such other duties as may be prescribed by these Bylaws or by the Board.

13.3 Secretary:

The Secretary shall attend all sessions of the Board and record, or cause to be recorded, all votes and minutes for all proceedings. The Secretary shall keep or cause to be kept a book or books of minutes of all meetings, proceedings, and action of the Board and of Committees of the Board. The Secretary shall oversee the maintenance of all corporate records in computers, files and/or binders as appropriate, and shall be responsible for ensuring that the Corporation complies with all Federal, State and local filing and reporting requirements. He or she shall give, or cause to be given, notice of all special meetings of the Directors, and shall have such other powers and perform such other duties as may be prescribed by these Bylaws or by the Board.

13.4 Treasurer:

The Treasurer shall have such powers as are usually vested in the Treasurer of a corporation. He or she shall be responsible for oversight of, and as appropriate, execution of the following:

- a. Deposit of funds in the manner required by the Board;
- b. Payment obligations of the Corporation;
- c. Entry and maintenance of adequate and correct accounts of the Corporation's properties and business transactions;
- d. Rendering of reports and accountings as required and presentation of this material to the appropriate Committees of the Board and to the Board of Directors;
 - e. Preparation of the annual budget;
 - f. Tax preparation and IRS filings;
- g. Regular reconciliation of financial reports to original bank and fund statements:
- h. Discharge such other duties as pertain to the office as prescribed by law, these Bylaws or by the Board.

13.5 Executive Director:

The Board may appoint an Executive Director of the Corporation. The Executive Director, and not the President, shall then be the Corporation's Chief Executive Officer and shall be responsible for executing the Corporation's affairs and operations in accordance with the policies established by the Board. However, the Executive Director may not acquire or accept any interest in real property on behalf of the Corporation, or

sell or encumber any real property owned by the Corporation, except with the express approval of the Board as provided under ARTICLE VII, above. He or she shall give notice of all meetings, have custody of the Corporation's minutes and records, including those of the Board and its Committees and shall perform such other duties as the Board may direct.

The Executive Director shall submit to the Board any matters requiring their attention and annually and at such other times as may be appropriate, present to the Board reports upon the Corporation's affairs. The Board, by resolution, may require him or her to give bond with an approved surety for the faithful performance of duties in such amounts as may be fixed by the Board. The costs of such bond shall be borne by the Corporation. The fiscal responsibilities of the Executive Director and the limitations upon his fiscal authority shall be established by the Board. The Executive Director shall serve at the pleasure of the Board, which shall fix his or her compensation, if any. The Executive Director shall be an ex-officio member without vote on the Board and all standing and ad hoc Committees.

ARTICLE XIV Financial Matters

14.1 Audits:

The Board shall provide for an independent or external annual audit of the Corporation's financial records by a Certified Public Accountant or other qualified professional. Such independent audit shall include, but not be limited to, assets, liabilities, revenue, expenses and disbursements. The auditor shall furnish a written report to the Board thereof. An annual independent audit shall be conducted as above, for each succeeding year, unless in the judgment of a majority of the Board the audit may be delayed for a period of no more than two years.

14.2 Bonds:

The Corporation shall have the right to bond any person who handles funds, or other items of value, on its behalf; however, bonding shall not be required unless directed by a specific resolution of the Board.

14.3 Insurance:

The Board may adopt a Resolution authorizing the purchase and maintenance of insurance on behalf of any agent of the Corporation (including a Director, Officer, employee or other agent) against any liability of self dealing asserted against or incurred by the agent in such capacity or arising out of the status as such, whether or not the Corporation would have the power to indemnify the agent against such liability under the provision of Section 5248 of the California Nonprofit Public Benefit Corporation Law.

14.4 Fiscal Year:

The Corporation's fiscal year shall begin on January 1 and end each year on December 31, unless changed by the Board.

14.5 Deposit and Withdrawal of Funds:

All funds of the Corporation shall be deposited to the credit of the Corporation in such banks, trust companies or other depositories in accordance with the established

policies of the Board. Withdrawals from all Corporation accounts shall require signature as required by Board resolution.

14.6 Execution of Documents:

Any deeds, mortgages, bonds, contracts or other instruments which the Board has authorized to be executed may be signed by any two of the following persons:

- a. Any Officer or other person duly authorized by resolution of the Board to execute such documents; or
- b. In the absence of express authorization of the Board, the Executive Director, President, Vice-President, Secretary or Treasurer.

14.7 Requirement of Signatures:

Except as otherwise provided by law or herein, every check, draft, promissory note, money order, or other evidence of indebtedness of the Corporation shall be signed by such individuals as are authorized by the Board. With the exception of petty cash and checks of less than a stated value established from time to time, funds of the Corporation shall be paid out only by corporate checks signed by Board Officers approved by Board resolution – unless otherwise authorized by the Board.

14.8 Authorization of Contracts:

All contracts entered into on the Corporations' behalf must be authorized by the Board.

14.9 Acceptance of Gifts, Interest in Real Property:

The Board has the authority to accept gifts and contributions to the Corporation, which authority may be delegated to the Executive Director by the Board. Specific Board approval is required for acceptance of any interest in real property.

14.10 <u>Forbidden Transactions</u>:

The following transactions are prohibited:

- a. Loans of money or property to or guarantee of any obligation of any Director or Officer; provided, however, that the Corporation may advance money to a Director or Officer of the Corporation for the expenses reasonably anticipated to be incurred in performance of the duties of such Director or Officer so long as such individual would be entitled to be reimbursed for such expenses absent that advance.
- b. Except as provided in Paragraph 14.10.c, below, any self-dealing transaction. A self-dealing transaction is one to which the Corporation is a party and in which one or more of the Directors has a material financial interest.
- c. The Board may approve a self-dealing transaction if the Board determines that the transaction is undertaken for the Corporation's own benefit and is fair and reasonable to the Corporation; and the Board, after reasonable investigation under the circumstances, determines that this Corporation could not have obtained a more advantageous arrangement with reasonable effort under the circumstances. Such determinations must be made by the Board, in good faith, with knowledge of the material facts concerning the transaction and the Director's interest in the transaction, and by the

vote of a majority of the Directors then in office, without counting the vote of the interested Director(s).

14.11 <u>Uncompensated Directors</u>:

At all times, fifty-one percent (51%) or more of the Directors shall be persons who have not been compensated within the previous twelve (12) months, by this Corporation for services performed for this Corporation. In this paragraph, the term "persons" includes individual related by blood or marriage.

14.12 Investments:

Except with respect to assets held for use or used directly in carrying out this Corporation's public benefit purpose, in investing, reinvesting, purchasing, acquiring, exchanging, selling and managing this Corporation's investments, the Board shall avoid speculation, looking instead to the permanent disposition of the funds, considering the probable income and/or growth of funds, as well as the probable safety of this Corporation's capital. Funds held for less than two years shall emphasize the "preservation of capital" and shall only be invested in fixed income investments such as cash equivalents or high quality bonds with maturity dates of less than one (1) year. Funds held for more than two years shall also emphasize "growth", and may include equities such as quality stocks and mutual funds. The provisions of Paragraph 14.10.a above shall apply to this Paragraph.

14.13 Annual Report:

The Executive Director, or if none, the President shall, within sixty (60) days of the end of the Corporation's fiscal year, furnish a written report annually to the Directors of the Corporation containing the following information:

- a. Assets and liabilities, including trust funds, of the Corporation as of the end of the fiscal year;
- b. The principal changes in assets and liabilities, including trust funds, during the fiscal year;
- c. The revenue or receipts of this Corporation, both unrestricted and restricted for particular purposes, for the fiscal year;
- d. The expenses or disbursements of this Corporation, for both the general and restricted purposes, during the fiscal year.

ARTICLE XV Amendments

15.1 Amendments:

The Corporation's Articles of Incorporation and Bylaws may be amended by the vote or written consent of a majority of the Board.

California Environmental Quality Act (CEQA) Mono County Land Donation and Exchange Project

The Mono County Land Donation and Exchange Project does not meet the definition of a project according to the provisions of CEQA. It is a pre-project planning effort that will not result in any activities that have a significant effect on the environment.

Application Checklist for Category Two Grants

Project Name: Mono County Land Donation and Exchange Project

Applicant: Eastern Sierra Land Trust

- 1. Completed Checklist (EFN: Checklist.doc,.docx,.rtf, or .pdf)
- 2. X Table of Contents (EFN: TOC.doc,.docx,.rtf, or .pdf)
- 3. Application Form (*EFN: AppForm.doc, .docx, .rtf, or .pdf*)
- 4. Authorization to Apply or Resolution (*EFN: ArtInc.doc, .docx, .rtf, or .pdf*)
- 5a. Articles of Incorporation [501(c)(3)s only] (EFN: ArtInc.doc, .docx, .rtf, or .pdf)
- 5b. Bylaws [501(c)(3)s only] (*EFN: Bylaws.doc, .docx, .rtf, or .pdf*)
- 5c. X Tax Exempt Status letter from the Internal Revenue Service [501(c)(3)s only] (EFN: ProjSum.doc, .docx, .rtf, or .pdf)
- 6. Project Summary (Two Page Maximum) (EFN: ProjSum.doc, .docx, .rtf, or .pdf)
- 7. Evaluation Criteria Narrative (EFN: EvalCrit.doc, .docx, .rtf, .pdf)
- 8. Detailed Budget Form (EFN: Budget.xls, .xlsx)
- 9. Performance Measures (EFN: Perform.doc, .docx, .rtf, or .pdf)
- 10. Environmental Setting and Impacts (EFN: EnvSetImp.docs, .docx, .rtf, .pdf))
- 11. ☐ Project Location Map (EFN: LocMap.pdf)
- 12. Parcel Map showing County Assessor's Parcel Number(s) (EFN: ParcelMap.pdf)
- 13. ★ Topographic Map (EFN: Topo.pdf)
- 14. ☐ Photos of the Project Site (10 maximum) (ENF: Photo.jpg, .gif)
- 15. ☐ Land Tenure (EFN: Tenure.pdf)
- 16. ☐ Leases or Agreements (EFN: LeaseAgrmnt.pdf)
- 17. California Environmental Quality Act (CEQA) (EFN: CEQA.pdf)
- 18. National Environmental Policy Act (NEPA) (If applicable) (EFN: NEPA.pdf)
- 19. ☐ Regulatory Requirements / Permits (ENF: RegPermit.pdf)
- 20. ☐ Demonstrations of Support (EFN: DOS.pdf)

		Budget			
State of C	alifornia - S	Sierra Ne	vada Con	servancy	
APPLICANT NAME:		Eastern Sierra Land Trust			
SNC REF #:					
PROJECT TITLE:	Moi	no County	/ Land Doi	nation and Exchanç	ge Project
PROJECT TYPE (choose one):					
☐ ACQUISITION☐ SITE IMPRO	OVEMENT	RESTO	RATION	RE PROJECT F	PLANNING
SECTION ONE			UNIT		SNC Grant
DIRECT COSTS	QTY	UNIT*	COST	SUBTOTAL	Request
Staff/Personnel Expense - Project Re				# 40,000,00	40.000
Executive Director	360	hour	\$30.00	\$10,800.00	10,800
Lands Program Coordinator	292	hour	\$24	\$7,000.00	7,000
				\$0.00	
				\$0.00	
			TOTAL:	\$0.00 \$17,800.00	\$17,800.00
Travel/Meeting Expense - Project Re	latad		IOTAL.	\$17,000.00	\$17,000.00
Mileage	2000	mi	\$0.50	\$1,000.00	1,000
ivineage	2000		ψ0.00	\$0.00	1,000
				\$0.00	
				\$0.00	
			TOTAL:	\$1,000.00	\$1,000.00
Contracts/Consultants - Project Relat	ed			4.,000.00	V 1,000100
Environmenal Assessment		pkg.		\$7,200.00	7200
Legal Counsel		pkg.		\$5,000.00	5000
5		l · ŭ		\$0.00	
				\$0.00	
			TOTAL:	\$0.00	\$12,200.00
Fees - Appraisal/Permits/CEQA/Eas	ement				· · · · · · · · · · · · · · · · · · ·
Appraisal		pkg		\$15,000.00	15000
Escrow, title, and closing		pkg.		\$4,500.00	4500
Property Taxes		misc		\$3,252.00	3252
				\$0.00	
				\$0.00	
			TOTAL:	\$22,752.00	\$22,752.00
	DIRECT CO	STS SU	BTOTAL:	\$53,752.00	\$53,752.00
SECTION THREE					
	on - Not to			oject Total):	1.151
Accounting		pkg	\$0.00	\$1,451.00	1451
Insurance		pkg		\$1,209.00	1209
Internet		pkg		\$242.00	242
Rent Telephone	_	pkg		\$3,628.00	3628
Utilities	_	pkg		\$645.00 \$887.00	645
Otilities	VDMINIS	pkg	TOTAL:	\$8,062.00	\$8, 062.00
77 0149					\$61,814.00
SINC IC	OTAL GRA	ANI KE	メロビタリ:	\$0.00	301.614.UU

*Unit: Enter the appropriate unit of measure (e.g., hours = hrs., months = mos., each = ea., feet = ft., miles = mi., miscellaneous = misc., package = pkg.)

Project Budget Details					
State of California - Sierra Nevada Conservancy					
APPLICANT NAME: Eastern Sierra Land Trust					
SNC REF #:	SNC REF #:				
PROJECT TITLE Mono County Land Donation and Exchange Project					ge Project
PROJECT TYPE (choose one):					
ACQUISITION SITE IMPROVE	MENT [RESTO	RATION	PRE PROJECT	PLANNING
SECTION FOUR OTHER PROJECT CONTRIBUTIONS	QTY	UNIT*	UNIT COST	Contribution	Status**
List other funding or in-kind contributors	to projec	t			
(i.e. Sierra Business Council, Department of Water Resources, etc.)			\$0.00	\$0.00	
California Native Plant Society	1	pkg	2100	\$2,100.00	Approved
ESLT- Performance Measure reporting	20	hours	\$24.00	\$480.00	Approved
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
	Total Oth	er Contri	butions:	\$2,580.00	

EASTERN SIERRA LAND TRUST



176 Home Street P.O. Box 755 Bishop, CA 93515 P: (760) 873-4554 F: (760) 873-9277 www.eslt.org

BOARD OF DIRECTORS

Tony Taylor President

Orrin Sage Vice President

Rick Kattelmann Secretary

Rosanne Higley Treasurer

Bill Bramlette Jan Hunewill

Sid Tyler

STAFF

Karen Ferrell-Ingram Executive Director Serena Dennis Heather Freeman

Aaron Johnson Mary McGurke

Mignon Moskowitz

Sarah Spano AmeriCorps Member SNC Grants Board Sierra Nevada Conservancy 11521 Blocker Drive, Suite 205 Auburn, CA 95603

September 12, 2010

Re: Additional requirements for Nonprofit Organizations Sierra Nevada Conservancy Grants Program

Dear Sierra Nevada Conservancy,

This letter is to certify that the nonprofit documents listed in the grants application packet and application checklist, the Articles of Incorporation and Tax Exempt Status Letter from the IRS, are on file at the agency office in Auburn and are current. Our By-laws have been updated and are included in the application packet.

Thank you for your consideration of this grant application.

Sincerely,

Karen Ferrell-Ingram, Executive Director

Koven Fevell-Ing



Leases and Agreements Mono County Land Donation and Exchange Project

This requirement is not applicable because there are no leases or agreements, other than the Letter of Intent provided under the Land Tenure section, associated with the Mono County Land Donation and Exchange Project.

Performance Measures Mono County Land Donation and Exchange Project

1. Number of People Reached

ESLT has a very active outreach program and will be able to widely reach the general population. By utilizing and tracking visitation to our website, blog, Facebook page, and enewsletter, we already currently quantify the success of our digital efforts. In addition we publish SierraScapes newsletter three times per year to our supporters, and send out regular press releases to local and regional media. Through our partnership with the California Native Plant Society, we will reach their members.

2. Dollar Value of Resources Leveraged for the Sierra Nevada

When the properties are appraised, we will have a clear understanding of the dollar value of the properties that will be donated and preserved for public benefit and leveraged for the Sierra Nevada.

3. Number and Type of Jobs Created

There will be a number of short-term jobs created through the process of engaging experts in due diligence investigation and legal counsel.

4. Number of New, Improved or Preserved Economic Activities

Economic activities related to recreation, agriculture, and tourism will be improved by the preservation of these parcels. Current recreational activity on the parcels will be preserved. This measure can be quantified by tracking annual tourism levels and agricultural production in the Bridgeport area as collected by local government efforts.

<u>5. Percent of Pre-Project and Planning Efforts Resulting in Project Implementation</u>
All of the pre-project efforts will lead directly to project implementation and can be tracked and quantified.

Regulatory Requirements/Permits Mono County Land Donation and Exchange Project

This requirement is not applicable because there are no regulatory requirements or permits required with the Mono County Land Donation and Exchange planning project.

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